

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	CASE NO. 07-60M
	)	
Plaintiff,	)	
	)	
v.	)	
	)	DETENTION ORDER
MITCHELL L. GILLIAM,	)	
	)	
Defendant.	)	
_____	)	

Offense charged: Felon in Possession of a Firearm (District of Montana)

Date of Detention Hearing: February 8, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged by Indictment in the District of Montana, Billings Division, with knowing possession of a firearm, having been previously convicted of a felony. He was

01 arrested in this District and has waived an identity hearing. An Order of Transfer has been signed.

02           2.       Defendant's criminal history includes numerous larceny charges, a forgery charge  
03 and an escape charge from 1995. There is an outstanding building code warrant from Florida that  
04 is extraditable only in the Southern states, and a non-extraditable warrant from North Carolina for  
05 forgery of checks from 2000. He has a somewhat transient residential history. Defendant does  
06 have ties to this District that include a wife, and employment as a salesman at a Chevrolet  
07 dealership, to which he can return if released from custody. If the District of Montana wishes to  
08 release the defendant after a detention hearing in that district, the defendant's employer has  
09 indicated willingness to serve as a third party custodian.

10           3.       Defendant poses a risk of nonappearance due to outstanding warrants and a prior  
11 escape charge. He poses a risk of danger due to criminal history and the nature of the instant  
12 offense.

13           4.       There does not appear to be any condition or combination of conditions that will  
14 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
15 to other persons or the community.

16 It is therefore ORDERED:

17           (1)       Defendant shall be detained pending trial and committed to the custody of the  
18                   Attorney General for confinement in a correction facility separate, to the extent  
19                   practicable, from persons awaiting or serving sentences or being held in custody  
20                   pending appeal;

21           (2)       Defendant shall be afforded reasonable opportunity for private consultation with  
22                   counsel;

01 (3) On order of a court of the United States or on request of an attorney for the  
02 Government, the person in charge of the corrections facility in which defendant is  
03 confined shall deliver the defendant to a United States Marshal for the purpose of  
04 an appearance in connection with a court proceeding; and

05 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
06 counsel for the defendant, to the United States Marshal, and to the United States  
07 Pretrial Services Officer.

08 DATED this 8th day of February, 2007.

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10 Mary Alice Theiler  
11 United States Magistrate Judge  
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